

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MEDEFIS, INC.,

Plaintiff,

vs.

ATLAS MEDSTAFF LLC, SILVER CUP
FUNDING LLC, HMF CAPITAL GROUP,
INC., and P2BINVESTOR, INC.,

Defendants.

8:19CV377

ORDER TO SHOW CAUSE

This matter comes before the Court after a review of the case file and pursuant to NECivR [41.2](#), which states in relevant part, “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

On December 3, 2019, the Court entered an Order requiring Plaintiff to show cause why this case should not be dismissed as to defendant Silver Cup Funding LLC pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution. ([Filing No. 44](#)). In response, Plaintiff filed a Proof of Service ([Filing No. 47](#)), Response ([Filing No. 48](#)), and Affidavit ([Filing No. 48-1](#)) stating that an individual accepted service on behalf of Silver Cup Funding, LLC, on December 5, 2019. To date, Silver Cup Funding has not entered an appearance in this case, filed any responsive pleading or requested additional time to do so, and Plaintiff has taken no further action against Silver Cup Funding in this case. Plaintiff has a duty to prosecute its case as to all named defendants and may, for example, seek default in accordance with the applicable rules, voluntarily dismiss Silver Cup Funding as a defendant, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or the action must be dismissed as to Silver Cup Funding. Accordingly,

IT IS ORDERED: On or before **March 16, 2020**, Plaintiff must show cause why Silver Cup Funding, LLC should not be dismissed as a party for failure to prosecute, or take some other appropriate action.

Dated this 2nd day of March, 2020.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge